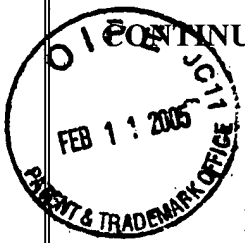


*Zaw RCE*  
*1647*



<b>REQUEST For CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>  Address to:  <b>MAIL STOP RCE COMMISSIONER FOR PATENTS P. O. BOX 1450 ALEXANDRIA, VA 22313-1450</b> (Revised 01/2003)	Application Number 09/560,288
	Filing Date April 27, 2000
	First Named Inventor: Hanley, Jr. et al.
	Art Unit: 1647
	Examiner Name: Robert Clinton Hayes
	Confirmation No.: 3083
	Attorney Docket No. 038151/195944
<p><b>This is a request for <u>Continued Examination (RCE)</u> under 37 C.F.R. § 1.114 of the above-identified application.</b> Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.</p>	

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
  - i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
  - i. ☒ Amendment/Reply
  - ii. ☐ Affidavits(s)/Declarations(s)
  - iii. ☐ Information Disclosure Statement (IDS); of cites listed on PTO Form 1449
  - iv. ☐ Other \_\_\_\_\_

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

In re: Hanley, Jr. et al.

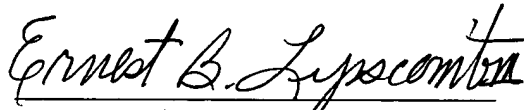
Appl. No.: 09/560,288

Filed: April 27, 2000

Page 2

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. The Director is hereby authorized to charge any fee deficiencies, or credit any overpayments, to Deposit Account No. 16-0605.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)  
(\$790.00 large entity; \$395.00 small entity)
- ii. ☐ Extension of Time Fee (37 C.F. R. §§ 1.136 and 1.17)
- iii. ☐ Other
- b. ☒ Check in the amount of \$395 enclosed

Respectfully submitted,



Ernest B. Lipscomb, III

Registration No. 24,733

**Customer No. 00826**

**Alston & Bird LLP**

Bank of America Plaza

101 South Tryon Street, Suite 4000


Charlotte, NC 28280-4000

Tel Charlotte Office (704) 444-1000

Fax Charlotte Office (704) 444-1111

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on February 8, 2005.



Janet F. Sherrill



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 09/560,288 Confirmation No.: 3083  
Applicant(s): Hanley, Jr. et al.  
Filed: April 27, 2000  
Art Unit: 1647  
Examiner: Robert Clinton Hayes  
Title: METHOD FOR PRODUCING HUMAN INTERVERTEBRAL DISC CELLS

Docket No.: 038151/195944  
Customer No.: 00826

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PRELIMINARY AMENDMENT UNDER 37 CFR § 1.115  
ACCOMPANYING A REQUEST FOR CONTINUING EXAMINATION**

Sir:

Please enter this Preliminary Amendment before calculating the claim fee and amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims beginning on page 2 of this paper.

**Remarks** begin on page 6 of this paper.